

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6326**

**BILL NUMBER:** SB 336

**NOTE PREPARED:** Dec 17, 2009

**BILL AMENDED:**

**SUBJECT:** State Tribe Recognition.

**FIRST AUTHOR:** Sen. Head

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill establishes a procedure for a Native American Indian tribe to receive recognition as a state tribe. The bill provides that the Natural Resources Commission (NRC) shall adopt procedures and criteria for the recognition of state tribes. A state tribe is not entitled to any special state rights or benefits unless the right or benefit is specifically conferred to the state tribe by statute.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** The NRC may experience an increase in administrative expenses. The NRC is staffed by the Division of Hearings. Although the division is considered a separate agency, the division is funded through appropriations to the Department of Natural Resources (DNR). If the NRC's adoption of procedures and criteria for the recognition of state tribes requires the NRC to meet more times than it typically would, the Division of Hearings would likely experience an increase in administrative expenses, which would result in increased expenses for the DNR. The bill's requirements should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

**Background:** The bill requires the NRC to adopt procedures and criteria for the recognition of state tribes that demonstrate a continuous Native American Indian identity in Indiana on a historical basis since 1800. A petition for state recognition with specified information must be submitted by an organized tribe. The NRC may rescind state recognition under certain conditions. A state tribe is not entitled to any special state rights or benefits unless the right or benefit is specifically conferred to the state tribe by statute.

The NRC may adopt rules to implement the provisions of the bill. The NRC must adopt a rule listing each state tribe recognized by the NRC.

Although the NRC is obligated to meet four times a year, the NRC has been meeting six times per year. The NRC consists of 12 members who are entitled to per diem and reimbursement for travel, lodging, meals, and other expenses. Costs for NRC members equaled about \$8,627 for FY 2009. For 2009, DNR personnel expenses for the NRC equaled \$16,800.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** DNR.

**Local Agencies Affected:**

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